

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Roanoke Division

TAMAR DEVELL HARVEY,

Plaintiff,

v.

**Case No. 7:18-cv-00097-EKD-RSB**

D. LANDAUER, *et al.*,

Defendants.

**MOTION TO WITHDRAW**

Undersigned counsel was hired by the insurer for MEDIKO, PC, the entity who provided some staff for the medical department at Augusta Correctional Center (the facility where Mr. Harvey was incarcerated during the relevant period) to represent MEDIKO's employees in this lawsuit. On March 4, 2019, undersigned counsel filed a notice of appearance and waivers of service for D. Landauer, T. Hamilton, E. Shipp, Dr. Arakaky, and Tammy Coyner—the five individuals whose waivers and summonses were given to MEDIKO, and by MEDIKO to its insurer. (Dk. Nos. 134 & 135). On March 28, 2019, undersigned counsel filed a Waiver of Answer on behalf of these individuals. (Dk. No. 143). While investigating Mr. Harvey's claim in preparation for a motion for summary judgment on behalf of these individuals, counsel learned that a miscommunication occurred between MEDIKO, its insurer, and counsel regarding the identities of the MEDIKO-employee defendants. In short, Tammy Coyner and Dr. Arakaky were never MEDIKO employees, and undersigned counsel does not represent them.

WHEREFORE, undersigned counsel respectfully requests that the Honorable Court enter an Order (a) striking the March 4, 2019 waivers of service on behalf of Dr. Arakaky and Tammy Coyner, (b) directing the clerk to terminate undersigned counsel as counsel for Dr. Arakaky and

Tammy Coyner, (c) directing the clerk to re-issue summonses for Dr. Arakaky and Tammy Coyner for service by Mr. Harvey, and (d) granting any other relief the Court deems appropriate.

**Respectfully Submitted,**

**D. Landauer, E. Shipp, & T. Hamilton**

\_\_\_\_\_/s/\_\_\_\_\_  
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Taylor D. Brewer (VSB No. 82041)  
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*Counsel for D. Landauer, E. Shipp, &  
T. Hamilton*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 17th day of June, 2019, I electronically filed the foregoing Motion to Withdraw using the CM/ECF System and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

Tamar Devell Harvey, No. 1585239  
Greensville Correctional Center  
901 Corrections Way  
Jarratt, Virginia 23780  
*Pro Se Plaintiff*

**Respectfully submitted,**

\_\_\_\_\_/s/\_\_\_\_\_  
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